

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): George D. Papasouliotis; Bart van Schravendijk; Robert D. Tas; Patrick A. Van Cleemput

Assignee: Novellus Systems, Inc.

Title: Process for Depositing F-Doped Silica Glass in High Aspect Ratio Structures

Serial No.: 10/035,773 Filing Date: December 21, 2001

Examiner: Julian A. Mercado Group Art Unit: 1745

Docket No.: M-5091-2P US

Irvine, California  
July 20, 2004

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER  
A PATENT

Dear Sir:

Petitioner, Novellus Systems, Inc., a California corporation having a place of business at 4000 North First Street, San Jose, CA 95134, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory period defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 5,872,058 and 6,395,150 B1. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior Patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& HUI LLP

1763 TECHNOLOGY DRIVE  
SUITE 226  
SAN JOSE, CA 95110  
(408) 392-9150  
FAX (408) 392-2262

-1-

Serial No. 10/035,773

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior Patents, as presently shortened by any terminal disclaimer, in the event that one or both of the prior Patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with 37 C.F.R. 1.20(d), please charge the amount of \$110.00 as set forth in the enclosed transmittal letter.

The undersigned is the attorney of record.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope or Facsimile transmitted, addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on July 20, 2004.

  
Rita K. Kimmel

Respectfully submitted,



Tom Chen  
Attorney for Applicant(s)  
Reg. No. 42,406

LAW OFFICES OF  
MACPHERSON, KWOK CHEN  
& BEED LLP

1762 TECHNOLOGY DRIVE  
SUITE 310  
SAN JOSE, CA 95110  
(408) 392-9290  
FAX (408) 392-0262